

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 2-13 are pending in the application. Claim 1 has been cancelled without prejudice or disclaimer. Claim 3 has been rewritten in independent form including all limitations of base claim 1. The other independent claims have been amended similarly to better define the claimed invention. No new matter has been introduced through the foregoing amendments.

The new obviousness rejection of all claims over *McGarrahan* and *Kuh* and further in view of *LaJoie* are noted. Applicants respectfully traverse the rejection, because the applied references singly or in combination fail to disclose, teach or suggest all limitations of the rejected claims.

At the very least, none of the applied references teach or suggest the claim feature that the PSIP/PSI data from the terrestrial broadcasting TS or the SI/PSI data from the satellite broadcasting TS is converted into PSIP/PSI data of a corresponding digital cable television broadcasting standard. In other words, the claimed invention requires protocol conversion which is neither disclosed, taught nor suggested by any of the applied references.

It appears to be the Examiner's new position that *McGarrahan* in combination with *Kuh* do not teach or suggest the claimed protocol conversion, but *LaJoie* is relied upon for the missing element. Applicants respectfully disagree.

LaJoie, like the other applied references, does not teach or suggest any protocol conversion. The new reference broadly mentions at the paragraph bridging columns 2-3 that the received signals are converted to a format suitable for cable transmission. The reference further details how

such conversion is made at column 11 lines 25-45, i.e., the received signals are demodulated, decrypted, manipulated to remove unwanted channels, encrypted, and QAM-modulated. Thus, the received signals in *LaJoie* are processed as a whole, and as such, *LaJoie* discloses, at best, only a stream converter like element 314 of *McGarrahan*. No protocol conversion is disclosed or suggested in the new reference, and hence, the Examiner's suggested combination, if at all proper, would still lack the claim feature at issue.

Notwithstanding the above and solely for the purpose of expediting prosecution, Applicants have further narrowed the independent claims to include the or similar features of claim 3 which is directed to various components of the claimed protocol data converter.

The *McGarrahan* and *Kuh* elements that the Examiner considers to read on the claimed components of claim 3 singly are for other purposes and together fail to define the claimed protocol data converter. It is further noted that the claimed protocol data converter is allegedly found in another reference of *LaJoie*. Therefore, logically, components of such allegedly found "protocol data converter" should have been taught by *LaJoie*, rather than by *McGarrahan* and *Kuh* as indicated in the Office Action. The Office's failure to identify components of the claimed protocol data converter in *LaJoie* is an indication that the reference does not teach or suggest any protocol data converter, and that the claimed invention would not have been obvious over the applied references.

For at least the reasons presented *supra*, Applicants respectfully submit that the independent claims are patentable over the art.

The dependent claims are considered patentable at least for the reason(s) advanced with respect to the respective independent claim(s).

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable

Serial No. 10/029,943

indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under *37 C.F.R. 1.136* is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
LOWE HAUPTMAN HAM & BERNER, LLP

/Yoon S Ham/
Yoon S. Ham
Registration No. 45,307

Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
YSH/KL
(703) 684-1111
(703) 518-5499 Facsimile
Date: January 29, 2009